

KENTUCKY REAL ESTATE APPRAISERS BOARD

TYPE OF MEETING

Special Meeting

DATE AND LOCATION

December 18, 2015 – Board Office

PRESIDING OFFICER

Thomas Oliver, Chair

ROLL CALL

Present:

Thomas Oliver, Board Member
Kathy Mayfield, Board Member
Jeff Fultz, Board Member
Dann Cann, Board Member
Dwain Wheeler, Board Member

Present Also:

Larry Disney, Executive Director
Tom Veit, Executive Assistant
Angie Thomas, Staff Assistant
Kim Mathias, Executive Secretary
Nicole Biddle, Attorney General Office

Vice Chair, Thomas Oliver opened the meeting by welcoming the guest in attendance.

OATH OF OFFICE

Mr. Dwain Wheeler was sworn in as appraiser member of the Kentucky Real Estate Appraisers Board prior to the Board meeting by Notary Public, Angie Thomas.

ELECTION OF OFFICERS

A nomination was made by Dann Cann for Thomas Oliver as Chairman, second by Kathy Mayfield and the Board unanimously agreed to the nomination. Roll call – Kathy Mayfield – Yes; Thomas Oliver – Yes; Dann Cann – Yes; Jeff Fultz – Yes; Dwain Wheeler - Yes.

A nomination was made by Kathy Mayfield for Dann Cann Vice Chairman, second by Jeff Fultz and the Board unanimously agreed to the nomination. Roll call – Kathy Mayfield – Yes; Thomas Oliver – Yes; Dann Cann – Yes; Jeff Fultz – Yes; Dwain Wheeler - Yes.

MINUTES

Motion by Kathy Mayfield, second by Jeff Fultz and the Board unanimously approved the December 18, 2015 minutes. Roll call – Kathy Mayfield – Yes; Dann Cann – Yes; Jeff Fultz – Yes; Dwain Wheeler - Yes.

EDUCATION

Motion by Dann Cann, second by Kathy Mayfield and the Board unanimously approved the following education courses for Fiscal Year 2015-2016. Roll call – Kathy Mayfield – Yes; Dann Cann – Yes; Jeff Fultz – Yes; Dwain Wheeler - Yes.

- (1) McKissock
 - A. Adjustment: Supported or Not Supported? – Live Webinar – 5 hours CE Internet
 - B. Appraising Small Apartment Properties – 6 hours CE Internet
 - C. 2016-17 – National USPAP Course – 15 hours – QE Internet
- (2) American Society of Farm Managers & Rural Appraisers
 - A. National USPAP Course – 15 hours QE classroom
- (3) Wilson Education Group
 - A. KREAB Supervisor/Associate Group – 7 hours CE Classroom
- (4) Farm Credit Mid-America
 - A. 2016-17 National USPAP Update Course – 7 hours CE classroom
- (5) Dennis Badger & Associates, Inc.
 - A. 2016-17 National USPAP Update Course – 7 hours CE classroom
- (6) Dynasty School
 - A. 2016-17 National USPAP Update – 7 hours CE Internet
- (7) Continuing Education request by an individual
 - A. Appraisal Institute – Ohio Chapter – 38th Annual Economic Seminar – 7 hours CE classroom

CERTIFICATION/LICENSURE

- A. Approval – Appraisers – Motion by Kathy Mayfield, second by Dann Cann and the Board voted to approve the following certification list of appraisers and AMC's. Roll call –Kathy Mayfield – Yes; Dann Cann – Yes; Jeff Fultz – Yes; Dwain Wheeler – Yes.
- 1) Appraisers
1. Stacey L. Cantola – Certified General (OH)
 2. Richard R. Correll – Certified General (IN)
 3. Trent B. Gibson - Associate
 4. Sherry L. Hulsey – Certified General
 5. Trevor E. Phillips – Certified General (TX)
 6. Jeffrey T. Rouse – Certified General (MO)
- 2) AMC
1. Shaeffer Appraisal Management Co - #155
 2. Lenders Allies LLC - #156
- 3) Applicant with Prior Conviction – Table until he provides the requirements the Board requested. Case will be referred to Nicole Biddle, Board Counsel.
- 4) Applicant for temporary with prior disciplinary action – Motion by Dann Cann, second by Dwain Wheeler and the Board unanimously approved to process the temporary permit and advise applicant that he will be required to do the assignment and entire scope of the assignment and he sign the report as the appraiser with no professional assistance in the development or report. Roll call –Kathy Mayfield – Yes; Dann Cann – Yes; Jeff Fultz – Yes; Dwain Wheeler – Yes

COMPLAINT

- A. The Board reviewed the Case Summary Chart. Tom Veit reported 37 appraiser cases and 1 AMC case have been filed for 2015.
- B. Case No. 15-35 – Motion by Kathy Mayfield, second by Dwain Wheeler and the Board unanimously agreed to award an extension from respondent legal counsel until January 31, 2016 for the grievance answer. Roll call –Kathy Mayfield – Yes; Dann Cann – Yes; Jeff Fultz – Yes; Dwain Wheeler – Yes.

- C. Case No. 15-13 – Motion by Kathy Mayfield, second by Jeff Fultz and the Board unanimously agreed to set the case for an informal mediation and if not successful, to set the case for a hearing. Roll call –Kathy Mayfield – Yes; Dann Cann – Yes; Jeff Fultz – Yes; Dwain Wheeler – Yes.
- D. Case No. 15-14 · Motion by Dann Cann, second by Jeff Fultz and the Board unanimously agreed to dismiss the case. Roll call –Kathy Mayfield – Yes; Dann Cann – Yes; Jeff Fultz – Yes; Dwain Wheeler – Yes.
- E. Case No. 15-29 · Motion by Dann Cann, second by Dwain Wheeler and the Board unanimously agreed to dismiss the case. Roll call –Kathy Mayfield – Yes; Dann Cann – Yes; Jeff Fultz – Yes; Dwain Wheeler – Yes.
- F. Case No. 15-15 · Motion by Kathy Mayfield, second by Jeff Fultz and the Board unanimously agreed to dismiss the case. Roll call –Kathy Mayfield – Yes; Dann Cann – Yes; Jeff Fultz – Yes; Dwain Wheeler – Yes.

- (1) Lynn Prichard Case 12-10, 12-11, 12-12, 12-25, 12-26 – Hearing December 28, 2015.
- (2) Matt Miniard – Case 10-18 – Waiting on decision on hearing.
- (3) David Harrington – Case Nos. 08-49 through 08-57, 09-02, 09-03 and 09-07 – Court of Appeals waiting on decision
- (4) Richard Sceifers – Pending Franklin Circuit Court

MISCELLANEOUS

The Board reviewed and discussed the following information:

- A. Budget Ending November 30, 2015
- B. Kentucky Supervisor/Associate course equivalency – The pre-2015 Board supervisor/trainee course is considered equivalent to the 2010 KREAB Course. Motion by Dann Cann, second by Dwain Wheeler and the Board accepted the 2010 KREAB course equivalency the same as the current supervisor/associate mandatory course. Roll call · Kathy Mayfield – Yes; Dann Cann – Yes; Jeff Fultz – Yes; Dwain Wheeler – Yes
- C. 2016 State Holidays
- D. Request from Appraiser Andrew Baird – Motion by Dwain Wheeler, second by Dann Cann and the Board denied the request of Mr. Baird to only submit non-residential appraisal reports in lieu of two 1-4 residential appraisal reports for experience review. The Board will require Mr. Baird to submit residential appraisal reports. Roll call · Kathy Mayfield – Yes; Dann Cann – Yes; Jeff Fultz – Yes; Dwain Wheeler – Yes

- E. KREAB 2016 Seminars – Motion by Dwain Wheeler, second by Jeff Fultz and the Board authorized Larry Disney to sign the MOA for each facility as required by Finance for the 2016 seminars. Roll Call - Kathy Mayfield – Yes; Dann Cann – Yes; Jeff Fultz – Yes; Dwain Wheeler – Yes
- F. KREAB 2016 Board Meetings – Motion by Dann Cann, second by Kathy Mayfield and the Board accepted the calendar for the 2016 Board meeting dates. Roll Call - Kathy Mayfield – Yes; Dann Cann – Yes; Jeff Fultz – Yes; Dwain Wheeler – Yes
- G. Licensed Residential Real Property Appraiser Regulation – Motion by Dann Cann, second by Dwain Wheeler and the Board voted to not amend the current regulation requirements for the Licensed Residential Real Property criteria. Roll Call - Kathy Mayfield – Yes; Dann Cann – Yes; Jeff Fultz – Yes; Dwain Wheeler – Yes.
- H. Appraiser Statistics – The board discussed ways to possibly recruit individuals into the appraisal profession.
- I. 201 KAR 30:030 Permitted Scope of Practice – The Board discussed Scope of Work and the Highest and Best Use of properties must be decided on a case by case basis.
- J. HUD Article
- K. Current Status of Kentucky Credentialed Appraisers
- L. ICAP Survey
- M. Independent Settlement Services Request – Issue was resolved prior to the KREAB Board Meeting – No action taken
- N. January Board Meeting – January 22, 2016

ATTORNEY REPORT

EXECUTIVE SESSION

Motion by Dwain Wheeler, second by Dann Cann and the Board agreed per KRS 61.810(1) (c), (f) & (j) to go into executive session to discuss grievance Case No. 15-07. Roll Call - Kathy Mayfield – Yes; Dann Cann – Yes; Jeff Fultz – Yes; Dwain Wheeler – Yes

Motion by Jeff Fultz, second by Dann Cann and the Board agreed to return to regular session. Roll Call - Kathy Mayfield – Yes; Dann Cann – Yes; Jeff Fultz – Yes; Dwain Wheeler – Yes

Case No. 15-07 – Tom Oliver, Board Chair recused himself from any vote because he participated in the pre-adjudicative phase of this preceding. A motion was made by Dann Cann, second by Dwain Wheeler and the Board agreed unanimously to dismiss the grievance based upon the investigator report and evidence collected, consistent with the law. Roll Call - Kathy Mayfield – Yes; Dann Cann – Yes; Jeff Fultz – Yes; Dwain Wheeler – Yes

EXECUTIVE SESSION

Motion by Jeff Fultz, second by Kathy Mayfield and the Board agreed per KRS 61.810(1) (c), (f) & (j) to go into executive session to discuss staff grievance. Roll Call - Kathy Mayfield - Yes; Dann Cann - Yes; Jeff Fultz - Yes; Dwain Wheeler - Yes

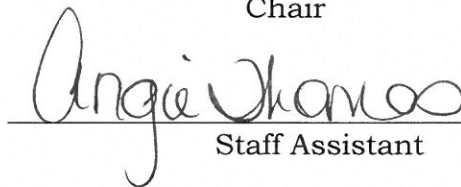
Motion by Dwain Wheeler, second by Jeff Fultz and the Board agreed to return to regular session. Roll Call - Kathy Mayfield - Yes; Dann Cann - Yes; Jeff Fultz - Yes; Dwain Wheeler - Yes.

Tom Oliver, Board Chair recused himself from any vote because he is participating in the pre-adjudicative phase of this preceding. The Board will request additional information from complainant - ongoing.

Motion by Dann Cann, second by Kathy Mayfield and the Board unanimously agreed to adjourn the meeting. Roll Call - Kathy Mayfield - Yes; Dann Cann - Yes; Jeff Fultz - Yes; Dwain Wheeler - Yes



Chair



Staff Assistant